

## ORDINANCE

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AN ORDINANCE OF THE MAYOR AND COMMISSIONERS OF THE CITY OF JESUP, GEORGIA TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JESUP, GEORGIA TO ADDRESS ANIMALS AND ANIMAL CONTROL FOR THE CITY OF JESUP

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**WHEREAS**, Chapter 14 of the Code of Ordinances of the City of Jesup addresses animals and animal control for the City of Jesup; and

**WHEREAS**, the Commissioners of the City of Jesup desire that said Chapter should be amended; and

**WHEREAS**, the Commissioners of the City of Jesup have determined that the Code of Ordinances of the City of Jesup, Georgia may be amended pursuant to the Municipal Home Rule Act of 1965 at Ga. Code Ann. § 36-35-3 et seq., to make such proposed necessary changes; and

**WHEREAS**, Title 4, Chapter 8, Section 1 of The Official Code of Georgia Annotated permits local governments, such as the City of Jesup, to adopt and enforce local ordinances and resolutions, which may provide for more restrictive control of dogs than the minimum standards provided for under state laws of general application; and

**THEREFORE**, be it **ORDAINED** by the Commissioners of the City of Jesup, Georgia, in accordance with the Municipal Home Rule Act of 1965 at Ga. Code Ann. § 36-35-3 et seq., as follows:

Section One (1). That Chapter 14 of the Code of Ordinances of the City of Jesup, Georgia shall be amended in accordance with the above so that upon proper

passage, Chapter 14 of the Code of Ordinances titled “Animals” shall be revised, amended, and replaced in its entirety to read as follows:

## CHAPTER 14 – ANIMALS

### ARTICLE I – IN GENERAL

#### **Sec. 14-1. – Definitions.**

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

(a) “*Abandon*” means the act of placing an animal on public property or within a public building, unattended or uncared for, or on or within the private property of another without the express permission of the owner, custodian or tenant of the private property. An animal shall also be considered abandoned when it has been unattended and without adequate food, water, ventilation or shelter, for a period in excess of 36 hours, regardless of where such animal may be found or kept.

(b) “*Adequate food*” means a sufficient quantity of non-contaminated and nutritionally healthy sustenance that is appropriate to the species, breed, size, age and general health and wellbeing of the animal, or at the direction of a licensed veterinarian, which is sufficient to prevent starvation, malnutrition, or risk to the animal’s general health and wellbeing. Garbage, spoiled, rancid, or contaminated food is not adequate food.

(c) “*Adequate shelter*” means a protective covering for an animal that is of adequate size and provides adequate protection to maintain the animal in a state of good health, and that prevents pain, suffering, or significant risk to the animal’s general health and wellbeing. Such adequate shelter should also be clean, dry and suitable for current weather conditions, and suitable to the age, size, species and condition of the animal. Such adequate shelter should also be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably.

(d) “*Adequate space*” means a sufficient safe space suitable to the age, size, species and breed of animal to be contained, kept, maintained or harbored therein.

(e) “*Adequate water*” means clear, clean, potable, and drinkable water in adequate supply that is appropriate to the species, breed, size, age, and general health and wellbeing of the animal. Examples of inadequate water include, but are not limited to: snow, ice and rancid or contaminated water.

(f) “*Animal Control Board*” means any person, group of persons, public official, groups of public officials, court, or tribunal appointed by the Board of Commissioners of the City of Jesup to perform the duties of the Animal Control Board under this Article.

(g) “*Animal Control Facility*” means and includes any vehicle, building, structure, pasture, paddock, pond, impoundment area or premises where any animal is kept or housed by the Animal Control Officer or Animal Control Unit for

the purpose of impounding or harboring stray, homeless, abandoned, unwanted, neglected, abused, infected, or quarantined animals.

(h) “*Animal Control Officer*” means an employee of the Animal Control Unit or the City of Jesup duly sworn under the legal authority of the City of Jesup to enforce the rules and regulations of this Article.

(i) “*Animal Control Unit*” means the division, department, persons, or person within the department of police of the City of Jesup responsible for the enforcement of this Article.

(j) “*Animals running at-large*” means any animal not under immediate control, not on a leash, not at heel, not beside a competent person, not in a vehicle driven or parked, or not confined within the property limits of the owner, possessor, custodian, or harbinger of said animal.

(k) “*Classified dog*” means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this Article.

(l) “*Cruelty*” means causing death or unjustifiable or unreasonable pain or suffering to an animal by an act, an omission, or neglect.

(m) “*Custodian*” means any natural person or legal entity, including, but not limited to, a firm, corporation, partnership, association, trust, or other legal entity, who or which owns, possesses, harbors, keeps, regularly feeds, regularly waters, cares for, regularly provides sustenance or shelter to, maintains, houses, has custody of, or knowingly causes or knowingly permits an animal to be harbored or kept, or has an animal in his, her, or its care, or who permits an animal to

remain on or about his, her, or its premises, or the premises or another, or who is entrusted or charged with guarding or maintaining of an animal.

(n) “*Dangerous dog*” means that same definition as provided in the “*Responsible Dog Ownership Law*,” The Official Code of Georgia Annotated § 4-8-20 *et seq.* (the “Act”). (as amended from time to time) and for the purposes of this Article also includes any dog that:

1. Causes a substantial puncture of a person’s skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this Article;

2. Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person, although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this Article; or

3. While off the property of its owner, possessor, custodian, or harborer, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

(o) “*Dogs running at-large*” mean any dog not under immediate control, not on a leash, not at heel, not beside a competent person, not in a vehicle driven or parked, or not confined within the property limits of the owner, possessor,

custodian, or harbinger of such dog. Hunting and tracking dogs are considered under the control of their owner, possessor, custodian, or harbinger when hunting with a landowner's permission and when otherwise in the control of their owner, possessor, custodian, or harbinger either by physical or electronic restraint or training.

(p) “*Domestic animal*” means an animal that, through long association with humans, has been adapted to human living conditions or living around or among humans.

(q) “*Guard or protection dog*” means any dog trained for the purpose of protecting individuals from assault or preventing property loss or damage.

(r) “*Harbinger*” means any natural person or legal entity, including, but not limited to, a firm, corporation, partnership, association, trust, or other legal entity, who or which gives shelter to any animal, provides a place, home, or habitat for any animal, or regularly feeds, nourishes, maintains, or harbors an animal.

(s) “*Impoundment*” means the act of taking physical possession and control of an animal by the Animal Control Officer, the Animal Control Unit, police officer of the City of Jesup, or other officer empowered to act by law, and transporting the animal to the Animal Control Facility or such other place for impoundment as determined by the Animal Control Officer or Animal Control Unit.

(t) “*Livestock*” means and includes chickens, guineas, ducks, horses, cows, goats, pigs, sheep, llamas, mules, donkeys or any other hoofed animal. Fowl and rabbits are also expressly included within this definition.

(u) “*Necessary veterinary care*” means veterinary medical attention appropriate to the circumstances, whenever an animal is known or suspected to have suffered an injury, accidental or deliberate, or exhibits signs of disease, shock, temperature fluctuation, tremors, swelling, broken bones, open wounds, inability or refusal to eat or drink, blistering, irregular or abnormal breathing, partial or total paralysis, abnormal discharge or bleeding, mange, or other signs of general health problems.

(v) “*Owner*” means any natural person or legal entity, including, but not limited to, a firm, corporation, partnership, association, trust, or other legal entity, who or which owns, possesses, harbors, keeps, regularly feeds, regularly waters, cares for, regularly provides sustenance for or shelter to, maintains, has custody of, or knowingly causes or knowingly permits an animal to be harbored or kept, or has an animal in his, her, or its care, or who permits an animal to remain on or about his, her, or its premises. In the case of an animal owned by a minor, the term “owner” also includes the parents or person in *loco parentis* with custody of the minor. Without limiting the generality of the foregoing, any adult at whose residence a dangerous dog or potentially dangerous dog is kept or found shall be presumed to be an owner of such dog and shall have the burden of rebutting such presumption under this Article. If an animal has more than one owner, any one of such owners may be prosecuted for violations of this Article whether or not any other owners are also prosecuted.

(w) “*Police officer*” means any law enforcement officer empowered to make arrests or cause to be issued summonses in the City of Jesup.

(x) “*Possessor*” means any natural person or legal entity, including, but not limited to, a firm, corporation, partnership, association, trust, or other legal entity, who or which possesses, keeps, maintains, houses, has custody of, or knowingly causes or knowingly permits an animal to be harbored or kept, or has an animal in his, her, or its care, or who permits an animal to remain on or about his, her, or its premises.

(y) “*Proper enclosure*” means an enclosure that meets all of the following criteria:

1. A structure which is suitable to prevent the entry of young children of tender years and to prevent the dog or other enclosed animal from escaping;
2. A structure with secure sides and a secure top attached to all sides;
3. A structure whose sides are so constructed at the bottom so as to prevent the dog’s, or other enclosed animal’s, escape by digging under the sides. Such sides must be on a concrete pad;
4. A structure which provides appropriate protection from the elements for the dog or enclosed animal;
5. A structure which is inside a perimeter or area fence; and



6. The gate to the structure shall be of the inward-opening type and shall be kept double locked except when tending to the dog's, or other enclosed animal's, needs, such as cleaning the enclosure or providing food and water to the dog or animal.

(z) “*Provocation*” means committing a willful trespass or other tort upon the premises occupied by the owner, possessor, custodian, or harbinger of the animal, or teasing, tormenting, or abusing the animal, or committing or attempting to commit a crime against a person.

(aa) “*Sanitary conditions*” means an animal living space, shelter, or exercise area that is not contaminated by health hazards, irritants, pollutants, items, or conditions that endanger or pose a risk to an animal's health or to the public health and wellbeing of the citizens of the City of Jesup.

(bb) “*Serious injury*” means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

(cc) “*Vicious animal*” means any animal that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the animal's attack and includes “*vicious dog*” as otherwise defined herein.

(dd) “*Vicious dog*” means that same definition as provided in the “*Responsible Dog Ownership Law*,” The Official Code of Georgia Annotated § 4-8-20 *et seq.* (the “Act”). (as amended from time to time) and for purposes of this Article further includes a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog’s attack. No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer’s official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person, who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of The Official Code of Georgia Annotated.

**Sec. 14-2. – Penalties for Violation of this Article.**

Unless otherwise specified in this Article, the following penalties shall apply: A person violating this Article may be deemed guilty of violating a City ordinance and may be punished by a fine not to exceed \$1,000.00 and by imprisonment not to exceed 12 months, or both fine and imprisonment. Each act or omission in violation of this Article shall constitute a separate offense. Each day that such violation continues to exist shall constitute a separate offense. In addition to any other penalties allowed by law, any court, tribunal, or other adjudicative body, as part of the sentence, may prohibit the offender from owning, possessing, harboring, or having on the offender’s premises in the City of Jesup any animal during the term

of the sentence, may order any animal of such owner, possessor, custodian, or harbinger to be removed from the City of Jesup or humanely euthanized, and may order restitution for any damages caused by such animal.

**Sec. 14-3. – Animal Control Board Created.**

There is hereby created an Animal Control Board to hold hearings, determine matters and have all power and authority granted to such board in Title 4, Chapter 20, Section 8 of The Official Code of Georgia Annotated and to also carry out the provisions of this Article. The person or persons comprising the Animal Control Board shall be established by the Board of Commissioners of the City of Jesup.

**Sec. 14-4. – Transient Dogs and Cats.**

Any dog or cat shipped or transported through the City of Jesup or entering the City of Jesup only for the purpose of a temporary stay, when such stay shall not exceed 15 days, shall be exempt from the collar and tag Sections of this Article. However, all other provisions of this Article are applicable to such transient animals.

**Sec. 14-5. – Livestock.**

(a) No person shall keep, harbor or maintain livestock within the corporate limits of the City of Jesup without first obtaining a permit to do so from the Board of Commissioners. Any person desiring to keep, harbor or maintain livestock within the corporate limits of the City of Jesup shall make written application for such permit to the Board of Commissioners, setting forth a description of the livestock, the location at which the livestock will be maintained,

the proposed enclosure of such livestock, the proposed methodologies for disposal of the waste from such livestock, the proposed methodology for the control of any noxious odors or gasses of such livestock, the purpose of maintaining such livestock within the City of Jesup, and any other disclosures requested by the City of Jesup related to the keeping of such livestock within the City of Jesup. No such permit shall be granted where the livestock is to be maintained within a distance of 500 feet from the residence of any person or the premises of any entity other than the applicant.

(b) All livestock shall be properly housed with adequate food and adequate water and confined within a fenced enclosure. The fenced enclosure shall be maintained in such a manner as to keep any livestock from escaping the enclosure and causing damage, accidents or injury to any other person or property. Maintenance of such enclosure shall include, but not be limited to, repair or replacement of anchor post assemblies whenever they show signs of weakness, refastening loose wires to posts, splicing broken wires when necessary, and keeping fence wires properly stretched. Those persons who, or entities that, provide boarding or pasturing space or services for hire shall have the responsibility for enclosure maintenance as described in this paragraph.

(c) No person shall tie, stake or fasten any livestock within any street, highway, road, alley, sidewalk, right-of-way, or other public place within the City of Jesup or in such manner that any such livestock has access to any portion of any street, highway, road, alley, sidewalk, right-of-way, or other public place.

(d) Owners, possessors, custodians, or harborers of livestock impounded for violation of this Article or any state or federal law will be charged fees in accordance with the actual costs of impoundment, plus impounding and boarding fees as established from time to time by the City of Jesup.

(e) Impounded livestock may, in the discretion of the Animal Control Officer or Animal Control Unit, be held for a period of 21 days. If such impounded animals are not claimed by the owner during that period of time, the animals may be given to persons willing to accept them wholly within the discretion of the Animal Control Officer or the Animal Control Unit.

**Sec. 14-6. – Wildlife.**

All complaints and matters concerning wild animals not of a domestic nature and complaints involving game animals or protected species or hunting shall be forwarded to the Georgia Department of Natural Resources, Game and Fish Division or the U.S. Department of Agriculture, Law Enforcement Division for proper disposition, including, compliance, apprehension, control or enforcement as may be necessary as provided by state and federal laws, rules and regulations.

**ARTICLE II – RESPONSIBLE OWNERSHIP**

**Sec. 14-7. – Duty of Animal Owners to be Responsible Owners.**

(a) It shall be the duty of every owner, possessor, custodian, or harborer of any animal within the City of Jesup to exercise reasonable care with regard to such animal and to take all reasonably necessary precautions to protect other people, other property, and other animals from injuries or damage which might result from

their animal's behavior. If the owner, possessor, custodian, or harbinger of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure compliance with all provisions of this Article.

(b) *Noise Control.* It shall be a violation of this Article for an owner, possessor, custodian, or harbinger, or an individual in possession of the property upon which any animal or animals are located, to allow any animal or animals within the City of Jesup to make any vocalizations or audible noises which are plainly audible to a person of ordinary hearing not located on the same property as the animal or animals making such vocalizations for more than 15 minutes without interruption, or for more than 30 minutes if the vocalization is intermittent. The following additional considerations shall apply:

1. These time limitations do not apply if the vocalizations are given as a warning to the presence of an intruder.

2. Officers enforcing this subsection are not required to measure the vocalizations with the use of a sound level meter.

3. Upon notification of a citizen complaint concerning such vocalizations, the owner or individual in possession of the property upon which any allegedly offending animal or animals are located shall be given a written notice from the Animal Control Officer or Animal Control Unit indicating that such animal or animals are creating a noise disturbance. Any citizen complainant under this Section must provide the Animal Control Officer or the Animal Control Unit with the address where the animal or

animals were located at the time of the noise offense before any written notice shall be sent to such property owner. The owner or individual in possession of the subject property shall then have 10 days to resolve the disturbance.

4. If the disturbance is not resolved within 10 days and the Animal Control Officer or Animal Control Unit receives a second complaint from the original citizen complainant, such citizen complainant will be asked to provide a sworn statement documenting the violations. The original citizen complainant will also be required to obtain a sworn statement from another individual documenting the noise disturbance. The statements must be from citizens residing at different addresses located near the animal or animals creating the disturbance. Upon receipt of such sworn statements, the Animal Control Officer or Animal Control Unit may issue a citation under this Section to the owner of the property where the allegedly offending animal was located.

5. The original citizen complaint will remain on file with the Animal Control Unit and remain active for a period of 30 days following any 10-day resolution period. If no further complaints are made during such 30-day period, the complaint shall expire and the process would begin again for any subsequent complaints.

**Sec. 14-8. – Restraint.**

(a) It shall be unlawful for any owner, possessor, custodian or harbinger of any animal to fail to keep any animal that is within the geographical boundaries of the City of Jesup under restraint or control as provided for in this Section.

(b) An animal is considered not under restraint or control when it is running at large, regardless of whether it is or is not wearing a collar and tag. Reasonable care and precaution must be taken to prevent any animal from leaving the real property of its owner, possessor, custodian, or harbinger, and to further ensure that:

1. The animal is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition, and that such enclosure is securely locked at any time the animal is left unattended; or

2. The animal is securely and humanely restrained by an operable and effective invisible containment system. If using an invisible containment system, a sign must be posted on the property indicating that such a system is in place;

3. The animal is tied or constrained by an adequate and humane restraint system capable of preventing the animal from escaping the property of its owner, possessor, custodian or harbinger; or

4. The animal is on a leash and under the control of a competent person.



(c) The following additional precautions shall be taken by the owners, possessors, custodians, or harbinger of vicious animals:

1. Maintain at all times either a policy of insurance or surety bond in a minimum amount of \$50,000.00 to cover claims for any personal injuries inflicted by the vicious animal, which policy or surety bond shall be issued by an insurer or surety, as the case may be, authorized to transact business in this state.

(d) Guard or protection dogs:

1. Owners, possessors, custodians, or harborers of any guard or protection dog within the City of Jesup must also confine all such dogs within a perimeter fence and meet the following conditions, unless the dog is otherwise restrained as provided for in subsection 14-8(d)(3) of this Article:

i. The fence shall be sufficient to prevent the dog's escape, with all points of ingress and egress securely locked at all times.

ii. A "beware of dog" sign shall be conspicuously displayed on each exterior side of the enclosure for each 50 feet of enclosure, including a minimum of 2 such signs, as well as a sign on each ingress or egress point to the enclosure. Signs shall be a minimum of 10 inches high and 14 inches long.

iii. The owner, possessor, custodian, or harbinger of any such guard or protection dog shall, prior to placing, keeping, maintaining or housing any such dog within the City of Jesup, have the dog(s)

microchip registered, at his, her or its own expense and provide the registration number to the Animal Control Unit. There shall be a fee for each guard or protection dog for the first year, or any part thereof, that the dog is kept, maintained, housed, or placed in the City of Jesup, and a renewal fee for each dog every year thereafter as set forth in the schedule of fees and charges as established from time to time by the City of Jesup. The renewal fee shall be paid by January 30 of each year.

iv. The owner, possessor, custodian, or harbinger of any such guard or protection dog shall report to the City of Jesup or the Animal Control Unit within 24 hours of any of the following:

- a. Escape of the dog;
- b. An attack on a human or animal by the dog;
- c. Transfer of ownership of the dog; or
- d. Death of the dog;

2. The Animal Control Officer, any employee or agent of the Animal Control Unit, or any police officer of the City of Jesup shall have the authority, and are hereby permitted a license, to enter onto private or public property for the purpose of ensuring compliance with the provisions of this subsection (d). Any person owning, possessing, harboring, or maintaining such a guard or protection dog within the City of Jesup shall be deemed to have granted and given such license under this Section.

3. When outside its enclosure, a guard or protection dog shall be deemed under control only when restrained by the collar provided for in this Section and a secure leash not to exceed 6 feet in length. The leash shall be of sufficient strength to prevent escape.

(e) Animals found running at-large or in violation of this Section may be immediately impounded by the Animal Control Officer, agents or employees of the Animal Control Unit, or any police officer of the City of Jesup. Any such officials or officers shall have the authority and license to pursue such animals onto private property to effectuate capture of such animals running at large.

**Sec. 14-9. – Abandoned Animals.**

(a) It shall be unlawful for anyone to knowingly abandon or to aid in the abandonment of any animal. No person shall intentionally abandon or discard any animal or the carcass of any animal on any private property belonging to another or public property located within the City of Jesup or the public right of way unless the person so doing shall have first obtained permission from the owner of the property and has otherwise complied with the provisions of this Article and any additional laws, rules, or regulations governing disposition of animals or remains of animals.

(b) An animal relinquished through written agreement with the Animal Control Officer or Animal Control Unit, or a licensed rescue group, licensed shelter, licensed veterinarian, or a private individual or other entity shall not be deemed abandoned, but shall be considered relinquished to such person or entity if such person or entity has assumed ownership of, and full responsibility for, such animal.

**Sec. 14-10. – Animal Neglect.**

(a) The owner, possessor, custodian, or harbinger of any animal or livestock, with the exclusions of the Animal Control Officer, any employee or agent of the Animal Control Unit, or any police officer of the City of Jesup, who fails to provide adequate drink, adequate food, adequate space, adequate shelter, sanitary conditions, necessary veterinary care, or who causes unnecessary or unreasonable suffering to any animal or livestock shall be deemed in violation of this Section.

(b) It shall be further unlawful to leave animals unattended in a parked vehicle without proper ventilation to prevent the animal from suffering physical distress from heat exhaustion.

(c) The Animal Control Officer, any employee or agent of the Animal Control Unit or any police officer of the City of Jesup, or other officer empowered to act by law to enforce this Article may impound any animal found to be neglected under this Section.

**Sec. 14-11. – Cruelty to Animals.**

(a) It shall be unlawful for any person to commit an intentional act of cruelty towards any animal within the City of Jesup.

(b) It shall be unlawful for any person to intentionally train, breed, possess, harbor, keep, or have custody or control of an animal within the City of Jesup for the purpose of animal fighting. It shall be unlawful to be a spectator at, or to wager upon an animal fighting activity within the City of Jesup. The

intentional fighting of dogs, dogs and hogs, and cocks is also prohibited within the City of Jesup.

(c) Licensed veterinarians, who perform surgery or euthanasia, and the Animal Control Officer or the employees or agents of the Animal Control Unit who euthanize animals in accordance with the guidelines of the Georgia Veterinary Medical Association, Georgia Department of Agriculture, and this Article shall not be guilty of cruelty to animals.

(d) A person shall not be guilty of cruelty to animals when such person is protecting his or her life, the life of another person, or another animal that is being attacked by an animal that is attempting to harm him, her, another person or another animal provided that the person or animal being attacked is not committing a crime or is not aggravating or inciting the animal to attack, and has not aggravated, injured, abused, or assaulted the attacking animal in the past.

#### **Sec. 14-12. – Backyard Breeders.**

It is unlawful for any person who does not hold a license from the Georgia Department of Agriculture to breed animals within the City of Jesup if they are required by the Georgia Department of Agriculture to be licensed to do so.

#### **Sec. 14-13. – Training Guard or Protection Dogs.**

It is unlawful to train a guard or protection dog within the City of Jesup, unless the trainer holds a state kennel license, a City business license, and maintains at all times either a policy of insurance or a surety bond in a minimum amount of \$50,000.00 to cover claims for any personal injuries inflicted by the dog

or dogs being trained, which such policy or surety bond shall be issued by an insurer or surety, as the case may be, authorized to transact business in this state. It is unlawful to train a guard or protection dog on public property, including, but not limited to, public parks and public rights of way.

**Sec. 14-14. – Hoarders.**

It shall be unlawful for any person to collect animals within the City of Jesup or to purposefully cause them to accumulate and fail to provide them with humane or adequate care, or to collect the carcasses of dead animals that are not properly disposed of as required by this Article or state law, or collect, house, or harbor animals in filthy or unsanitary conditions that constitute a health hazard to the animals being kept, to the animals or residents of adjacent property or to the citizens of the City of Jesup.

**Sec. 14-15. – Stray Animals.**

Any person who intentionally provides care, sustenance, food, water, or shelter for any animal shall be deemed to be the custodian and harbinger of said animal for purposes of this Article, unless a true and rightful owner is located. Notwithstanding the foregoing, nothing in this Section shall establish the rights between private persons contesting the ownership of any animal. No person shall feed or provide sustenance to any animal, dog or cat upon the public property or private property of others within the City of Jesup, except with the express permission of the owner of said property upon which said food or sustenance is provided.

**Sec. 14-16. – Limitation on Ownership.**

(a) Any person who has been convicted of cruelty, neglect, abandonment or hoarding of animals as provided for or defined in this Article or has been required to relinquish ownership of animals under this Article, may not own, possess, or have on his or her premises in the City of Jesup any animal for 1 year from the date of conviction. A *nolo contendere* plea is considered a conviction for the purpose of this Section.

(b) Any person who has been convicted of failure to keep an animal under restraint as required in this Article may not be allowed to own, possess, or harbor any animals within the City of Jesup for 1 year from the date of conviction.

**Sec. 14-17. – Public Nuisance Animal.**

(a) A “public nuisance animal” shall mean and include any animal that:

1. Is repeatedly found at-large; or
2. Damages the property of anyone other than its owner; or
3. Is vicious; or
4. Attacks person or other animals constituting the pets of other persons without provocation; or
5. Creates unsanitary conditions or offensive and objectionable odors in enclosures or surroundings and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept; or

6. An animal, which is not kept in conformity with the City of Jesup's zoning resolutions; or

7. Is in heat and not confined within a secure enclosure to prevent unintentional breeding; or

8. Chases vehicles, bicycles, people, or other animals constituting the pets of other persons, except as expressly permitted herein.

(b) Any such public nuisance animal may be impounded, and the owner, possessor, custodian, or harbinger of such animal charged for a violation of this Article.

(c) It shall be unlawful for any person or entity to own, possess, maintain, or harbor any animal that constitutes a public nuisance animal under this Section within the City of Jesup.

### ARTICLE III – POWERS, RESPONSIBILITIES, AND LIABILITY OF THE ANIMAL CONTROL OFFICER AND ANIMAL CONTROL UNIT

#### **Sec. 14-18. – Impound.**

(a) The Animal Control Unit, Animal Control Officer, any police officer of the City of Jesup, or any combination thereof may at his, her, its, or their discretion impound any animal or livestock found in violation of any Section of this Article, or may return the animal to its owner, possessor, custodian, or harbinger, and also issue or cause to be issued a summons directing the owner, possessor, custodian, or harbinger of such animal or livestock to appear before the Animal Control Board or the Municipal Court on a certain day to stand trial for the violation of this Article.



(b) If a violation of this Article has not been personally witnessed by the Animal Control Officer, a police officer of the City of Jesup, an employee or agent of the Animal Control Unit, or other authorized representative or other employee of the City of Jesup, a subpoena may be issued to any person having personal knowledge of such violation to appear on the day and time set for trial to testify in such matter.

**Sec. 14-19. – Liability of the City of Jesup, Animal Control Board, Animal Control Unit, Officers and Employees.**

The City of Jesup, the Animal Control Unit, the Animal Control Officer, the police officers of the City of Jesup, and the City of Jesup's other officers and employees responsible for enforcement of this Article shall not be held responsible or liable for any accidents, diseases, injuries, or deaths to any animal while being impounded, quarantined, or boarded at the Animal Control Facility or any other facility or location designated by the Animal Control Officer or Animal Control Unit to house any such impounded, quarantined, or boarded animals.

**Sec. 14-20. – Interference with Animal Control Officers.**

It shall be unlawful to interfere with the Animal Control Officer, police officer of the City of Jesup, or other officer empowered to act by law in enforcement of this Article, or to take or attempt to take any animal from any City vehicle used to transport the animal, or to take or attempt to take any animal from the Animal Control Facility or other place of impoundment, or by any other method which

would impede or hinder any officer referred to in this Section from performing his or her duties under this Article.

**Sec. 14-21. – Right of Entry.**

The Animal Control Officer, any employee or agent of the Animal Control Unit, or any police officer of the City of Jesup may use any reasonable force necessary to remove any animal locked in a closed vehicle when said animal reasonably appears to be in distress. If the vehicle is damaged during such removal, the enforcement officer and the City of Jesup shall not be liable for any damage to the vehicle.

**Sec. 14-22. – Removal of Dead Animals.**

(a) The Animal Control Officer, any employees or agents of the Animal Control Unit, or any police officers of the City of Jesup are authorized, but not required, to remove dead animals from public property within the City of Jesup, including public schools, parks and roadways. Carcasses on private property within the City of Jesup must be disposed of by the owner, possessor, custodian, or harborer of the animal or the property owner in accordance with state laws and regulations and this Article. It shall be unlawful for any person to dispose of a dead animal, its parts, or blood on the land of another within the City of Jesup without the permission of the owner of the land. It shall be unlawful for any person to dispose of a dead animal in a well or open pit of any kind on private or public land within the City of Jesup. All dead livestock, including horses, mules, goats, sheep, and cattle, and any other large animals must be disposed of by the owner,

possessor, custodian, or harbinger of such animals or property owner in accordance with state and local regulations and this Article.

(b) This Article shall neither prevent the City of Jesup from contracting, nor require the City of Jesup to contract, with a waste disposal company or other third party for the removal of the carcasses of dead animals within the City of Jesup.

**Sec. 14-23. – Adoption.**

(a) All persons adopting animals from the Animal Control Unit shall be over 18 years of age and shall provide adequate and humane care, adequate food, adequate water, adequate shelter and veterinary treatment as reasonably required for the overall good health and wellbeing of the adopted animal. Any person adopting an animal from the Animal Control Unit shall not use the animal for breeding, fighting or profit within the City of Jesup and shall not engage in any research involving the use of the animal or supply the animal to any individual or institution which may use the animal in research. The frequency with which animals may be adopted and placed in any one household may be restricted by the Animal Control Officer or Animal Control Unit.

(b) Any person adopting an animal from the Animal Control Unit shall pay an adoption fee in an amount stated in the schedule of fees as determined from time to time by the City of Jesup.

(c) Any person adopting an animal from the Animal Control Unit shall cause to have the animal spayed or neutered (sterilized) within a period specified as

follows, within 30 days from the date of adoption for animals over the age of 6 months or within the first 6 months of age for sexually immature animals. Any adopted animal not sterilized within the time specified may be reclaimed by the Animal Control Unit. If an animal becomes pregnant after the time specified for the animal to be spayed, the owner, possessor, custodian, or harbinger of such animal may receive a citation for violating this Article.

**Sec. 14-24. – Disposition of Impounded Animals.**

(a) The Animal Control Officer, Animal Control Unit or their official designees may offer for adoption any impounded animal that is unredeemed or remains unclaimed by its owner after 5 days as established in subsection (b) of this Section, or, if the animal is voluntarily surrendered to the Animal Control Unit by the owner of the animal, the animal may be offered for adoption immediately.

(b) Any animal that is seized or impounded by the Animal Control Officer, any police officer of the City of Jesup, or any other officer empowered to act by law shall be detained at the Animal Control Facility or other place of impoundment as established by the Animal Control Unit. The Animal Control Officer, or other employees and agents of the Animal Control Unit shall notify the owner of such animal, if such owner is known or can be reasonably ascertained, that the animal has been impounded. The owner of any animal impounded may, within 5 days after such notice, reclaim the animal by the payment of an impoundment fee, plus a boarding fee for each day the animal was impounded. These fees, as applicable,

shall also apply to animals held for rabies observation at the Animal Control Facility or other place of quarantine.

(c) If any animal seized or impounded by the Animal Control Officer or Animal Control Unit evidences advanced symptoms of contagious, infectious or fatal diseases, is seriously ill or severely injured, the Animal Control Officer or Animal Control Unit may seek the services of a licensed veterinarian who will determine whether to treat the animal or humanely euthanize the animal; or in the absence of an available veterinarian, the Animal Control Officer may concur with the City Manager, in addition to writing a complete report on the reason for euthanization, and thereafter cause said animal to be humanely euthanized. This action may be taken to control the spread of disease or to eliminate any further pain and suffering of an animal.

(d) For any animal that is impounded, at the owner's request and expense, such impoundment may be at a veterinary or licensed kennel of the owner's choosing provided that the owner cannot cause the animal to be released from such facility without the approval of the Animal Control Officer or Animal Control Unit.

**Sec. 14-25. – Confinement.**

(a) Any animals known to have bitten a person shall be confined to the Animal Control Facility, veterinarian's hospital, or at a boarding facility approved by the Animal Control Officer or Animal Control Unit or under home supervision with the approval of the Animal Control Officer for a period of 10 days. All

expenses incurred for boarding the animal during this period of time shall be paid by the owner, possessor, custodian, or harbinger of the animal.

(b) In accordance with the rules and regulations promulgated by the state of Georgia, department of public health, or similar state agency, all animals, other than a dog or cat, known to have bitten a person, which cannot be held for a rabies observation period, may be euthanized and a lab specimen of brain tissue sent to the state for testing and control of rabies.

(c) Unwanted or unclaimed animals that are bitten or scratched by a known potentially rabid animal may be euthanized immediately following notice to its owner, if such owner is readily identifiable. If the owner of the unvaccinated animal is unwilling to euthanize an animal that has been bitten or scratched by a known rabid animal, upon approval of the Animal Control Officer or Animal Control Unit, the exposed animal may be placed in quarantine for 6 months and vaccinated 1 month prior to being released. The owner of such animal is responsible for quarantining the exposed unvaccinated animal in strict compliance with the directions of the Animal Control Officer and Animal Control Unit.

(d) Dogs and cats that are bitten or scratched by a known or potentially rabid animal that are current on their vaccinations shall be re-vaccinated immediately, confined and observed for 45 days. Confinement must be coordinated with and approved by the Animal Control Officer or Animal Control Unit.

(e) For purposes of subsections (c) and (d), any animal bitten or scratched by a bat or wild carnivorous mammal including, but not limited to, bobcats,

raccoons, foxes, skunks, squirrels, rats, mice, other vermin, or coyotes, which are not available for testing, will be considered as having been exposed to rabies.

(f) Failure to comply with the quarantine or confinement requirements of this Section, the Animal Control Officer or Animal Control Unit will constitute a violation of this Article and may result in the impoundment of the affected animal. In that event, the owner, possessor, custodian, or harbinger of such animal remains responsible for all veterinary, boarding, and other expenses incurred on behalf of the quarantined animal.

## ARTICLE V – DANGEROUS DOG CONTROL

### **Sec. 14-26. – Title and Purpose.**

The purpose of this Article shall be to implement the provisions of the “*Responsible Dog Ownership Law*,” The Official Code of Georgia Annotated § 4-8-20 *et seq.*, relating to responsible dog ownership (the “Act”) and to provide for further enforcement of the laws and ordinances governing vicious and dangerous dogs. Nothing contained in this Article shall be deemed to amend or supersede any other ordinances relating to animal control.

### **Sec. 14-27. – Classification of Vicious or Dangerous Dog; Notice; Hearing; Judicial Review.**

(a) Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog within the Animal Control Officer's or Animal Control Unit's jurisdiction, the Animal Control Officer or Animal Control Unit shall

make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.

(b) When the Animal Control Officer or Animal Control Unit determines that a dog is subject to classification as a dangerous dog or vicious dog, the Animal Control Officer shall mail a dated notice to the dog's owner within 72 hours. Such notice shall include a summary of the Animal Control Officer's, or Animal Control Unit's, determination and shall state that the owner has a right to request a hearing from the Animal Control Board or the Probate Court on the Animal Control Officer's, or Animal Control Unit's, determination within 7 days after the date shown on the notice. The notice shall provide a form for requesting a hearing and shall state that if a hearing is not requested within the allotted time, the Animal Control Officer's, or Animal Control Unit's, determination shall become effective for all purposes under this Article. If an owner cannot be located within 10 days of the Animal Control Officer's or Animal Control Unit's determination that a dog is subject to classification as a dangerous dog or vicious dog, such dog may be released to the Animal Control Facility, an approved animal shelter or humanely euthanized, as determined by the Animal Control Officer or Animal Control Unit.

(c) When a hearing is requested by a dog owner in accordance with subsection (b) of this Section, such hearing shall be scheduled within 30 days after the request is received; provided, however, that such hearing may be continued by the Animal Control Board or the Probate Court for good cause shown. At least 10 days prior to the hearing, the Animal Control Board or the Probate Court



conducting the hearing shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence, and the Animal Control Board or the Probate Court conducting the hearing shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the Animal Control Officer's determination.

(d) Within 10 days after the hearing, the Animal Control Board or the Probate Court which conducted the hearing shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to this Article, the notice shall specify the date by which the euthanasia shall occur.

**Sec. 14-28. – Impoundment; Threat to Public Safety.**

A law enforcement officer, police officer of the City of Jesup, or the Animal Control Officer may immediately impound a dog if he or she believes the dog poses a threat to the public safety.

**Sec. 14-29. – Euthanasia for Causing Serious Injury on More than One Occasion.**

A dog that is found, after notice and opportunity for hearing as provided in this Article, to have caused a serious injury to a human on more than one occasion

shall be euthanized; provided, however, that no injury occurring before July 1, 2015, shall count for purposes of this Section.

**Sec. 14-30. – Issuance of Certificate of Registration.**

(a) It shall be unlawful for an owner to have or to possess within the City of Jesup a dangerous or vicious dog without a certificate of registration issued in accordance with the provisions of this Section. Certificates of registration shall be nontransferable and shall only be issued to a person 18 years of age or older. No more than one certificate of registration shall be issued per domicile.

(b) Unless otherwise specified by this Section, a certificate of registration for a dangerous dog shall be issued if the Animal Control Officer, or Animal Control Unit, determines that the following requirements have been met:

1. The owner has maintained an enclosure designed to securely confine the dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the dangerous dog from leaving such property;

2. Clearly visible warning signs have been posted at all entrances to the premises where the dog resides; and

3. Said enclosure meets the other applicable provisions of this Article concerning such enclosures and adequate shelter.

(c) Except as provided in subsections (e) and (f) of this Section, a certificate of registration for a vicious dog shall be issued if the Animal Control

Officer or Animal Control Unit determines that the following requirements have been met:

1. The owner has maintained an enclosure designed to securely confine the vicious dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property;

2. Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;

3. Said enclosure meets the other applicable provisions of this Article concerning such enclosures and adequate shelter;

4. A microchip containing an identification number and capable of being externally scanned has been injected under the skin between the shoulder blades of the dog; and

5. The owner maintains, and can provide proof of, general or specific liability insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.

(d) No certificate of registration for either a dangerous dog or a vicious dog shall be issued to any person who has been convicted of two or more violations of this Article or the "*Responsible Dog Ownership Law*," The Official Code of Georgia Annotated § 4-8-20 *et seq.* (the "Act").

(e) No person shall be the owner of more than 1 vicious dog at any 1 time within the City of Jesup.

(f) No certificate of registration for a dangerous dog or a vicious dog shall be issued to any person who has been convicted of:

1. A serious violent felony as defined in Ga. Code Ann. § 17-10-6.1 (from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person);

2. The felony of dogfighting as provided for in Ga. Code Ann. § 16-12-37 or the felony of aggravated cruelty to animals as provided for in Ga. Code Ann. § 16-12-4 (from the time of conviction until 2 years after completion of his or her sentence, nor to any person residing with such person); or

3. A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in Ga. Code Ann. §§ 16-13-31 and 16-13-31.1 (from the time of conviction until 2 years after completion of his or her sentence, nor to any person residing with such person).

(g) Certificates of registration for a dangerous dog or a vicious dog shall be renewed on an annual basis. At the time of renewal of a certificate of registration, the Animal Control Officer or Animal Control Unit shall verify that the owner is continuing to comply with provisions of this Article. Failure to renew a certificate of

registration within 10 days of the renewal date or initial classification date shall constitute a violation of this Article.

**Sec. 14-31. – Duties and Prohibitions for Owner of a Dangerous Dog or a Vicious Dog.**

(a) The owner of a classified dog shall notify the Animal Control Officer or Animal Control Unit within 24 hours if the dog is on the loose running at large or has attacked a human and shall notify the Animal Control Officer or Animal Control Unit within 24 hours if the dog has died or has been euthanized.

(b) A vicious dog shall not be transferred, sold, or donated to any other person, unless it is relinquished to a governmental facility or veterinarian to be euthanized.

(c) The owner of a classified dog who moves away from or out of the City of Jesup shall notify the Animal Control Officer or Animal Control Unit immediately. The owner of a similarly classified dog who moves into the City of Jesup shall register the dog as required in Ga. Code Ann. § 4-8-27, or as required under this Article, within 30 days of becoming a resident.

**Sec. 14-32. – Unlawful Acts by Owner of a Dangerous or Vicious Dog; Violations.**

(a) It shall be unlawful for an owner of a dangerous dog to permit the dog to be off the owner's property unless:

1. The dog is restrained by a leash not to exceed 6 feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary;

2. The dog is contained in a closed and locked cage or crate; or

3. The dog is working or training as a hunting dog, herding dog, or predator control dog.

(b) It shall be unlawful for an owner of a vicious dog to permit the dog to be:

1. Outside of an enclosure designed to securely confine the vicious dog while on the owner's property or outside a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property unless:

- i. The dog is muzzled and restrained by a leash not to exceed 6 feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or

- ii. The dog is contained in a closed and locked cage or crate;

or

2. Unattended with minors.

(c) Any irregularity in classification proceedings shall not be a defense to any prosecution under this Article so long as the owner of the dog received actual notice of the classification.

**Sec. 14-33. – Confiscation of Dangerous or Vicious Dogs;  
Noncompliance with Article.**

(a) A dangerous dog or vicious dog that is not maintained in compliance with this Article may be immediately confiscated by the Animal Control Officer, any police officer of the City of Jesup, or by a law enforcement officer in the case of any violation of this Article. A refusal to surrender a dog subject to confiscation shall be a violation of this Article.

(b) The owner of any dog that has been confiscated pursuant to this Article may recover such dog upon payment of all reasonable confiscation and housing costs and proof of compliance with the provisions of this Article, unless such confiscation is deemed to be in error by the Animal Control Officer or the Probate Court. All fines and all charges for services performed by any law enforcement officer or the Animal Control Officer shall be paid prior to the owner's recovery of the dog. Prosecution for violation of this Article shall not be stayed due to the owner's recovery or the euthanasia of the dog.

(c) In the event the owner has not complied with the provisions of this Article within 14 days of the date that the dog was confiscated, such dog may be released to an animal shelter or euthanized in an expeditious and humane manner. The owner may be required to pay the costs of housing and euthanasia.

**Sec. 14-34. – Transfer of Ownership or Possession.**

Upon the transfer of ownership or possession of any dangerous dog, the transferor shall provide the Animal Control Officer with the name, address, and

telephone numbers of the new owner of the dangerous dog and of the effective date of the transfer. Any transferee of a dangerous dog shall be presumed to have notice of the dog's classification as such.

**Sec. 14-35. – Sovereign Immunity.**

Under no circumstances shall the Animal Control Officer or the City of Jesup be held liable for any damages to any person who suffers an injury inflicted by a dog as a result of a failure to enforce the provisions of this Article. The City of Jesup does not alter, waive, amend, or release any defenses or immunities that it might otherwise enjoy, or be entitled to assert, by reason of the enactment or enforcement of this Article.

**Sec. 14-36. – Previously Classified.**

(a) Any dog classified prior to July 1, 2015 as a potentially dangerous dog or dangerous dog in the City of Jesup shall on and after that date be classified as a dangerous dog under this Article.

(b) Any dog classified prior to July 1, 2015 as a vicious dog in the City of Jesup shall on and after that date be classified as a vicious dog under this Article.

(c) The owner of any dog referred to in subsection (b) or (c) of this Section shall come into compliance with all current provisions of this Article by January 1, 2016.



## ARTICLE IV – VACCINATION

### **Sec. 14-37. – Rabies Certificate.**

The owner, possessor, custodian or harbinger of each dog or cat within the City of Jesup must obtain and possess a current rabies vaccination certificate from a licensed veterinarian showing that the animal has been vaccinated against rabies. Tags must be renewed within 30 days of the expiration date of the vaccination. At any time, the Animal Control Officer, the Animal Control Unit or the City of Jesup may require such owner, possessor, custodian or harbinger to present and exhibit such certificate.

### **Sec. 14-38. – Collar and Rabies Vaccination Tag.**

(a) It shall be the duty of every owner, possessor, custodian, or harbinger of any dog and cat within the City of Jesup to provide a collar and tag for each such dog and cat, and the tag and collar shall be on the animal at all times when the animal is not under the immediate control of the owner, possessor, custodian, or harbinger of the animal. Animals participating in organized or controlled competitions are exempt from this subsection only for the duration of the competition.

(b) It shall be unlawful for any person to attach a vaccination tag to the collar of any animal for which the tag was not issued, or to remove such tags from any animal without the consent of its owner, possessor, custodian, or harbinger.

**Sec. 14-39. – Vaccination of Dogs and Cats.**

No person who is not otherwise licensed to practice veterinary medicine in the state of Georgia shall vaccinate dogs, cats, livestock, or any other animals within the City of Jesup.

**Sec. 14-40. – Vaccines Used and Time of Vaccination.**

(a) All dogs and cats owned, possessed, harbored, residing or otherwise maintained within the limits of the City of Jesup shall be inoculated for the prevention of rabies by a veterinarian licensed to practice veterinary medicine using only those vaccines prescribed or approved for such purposes.

(b) It shall be unlawful for any person to own, possess, maintain, or harbor any dog or cat within the City of Jesup that does not have a current rabies inoculation. All dogs and cats shall be vaccinated against rabies before, and no later than, 4 months of age. Any dog or cat found not vaccinated by 4 months of age must have the written consent of a licensed veterinarian stating the reasons for such exemption. Each such dog or cat shall thereafter have periodic, and at least annual, vaccinations.

**Sec. 14-41. – Imposition of Area-Wide Quarantine.**

(a) When a report indicates a positive diagnosis of rabies within the City of Jesup or for any animal kept, maintained, or harbored in the City of Jesup, the Animal Control Officer or Animal Control Unit may order a city-wide quarantine for a period of up to 90 days, and upon the invoking of such quarantine, no animal shall be taken into the streets, or permitted to be on the streets of the City during such

period of quarantine. During such period of quarantine, no animal may be taken, transferred, moved, or shipped from the City of Jesup without permission of the Animal Control Officer or Animal Control Unit.

**Sec. 14-42. – Required vaccination during area-wide quarantine; program of mass immunization.**

(a) During any city-wide quarantine period, and as long afterward as the Animal Control Officer or Animal Control Unit decides it is necessary to prevent the spread of rabies, he, she, or it may require that all dogs or cats 3 months of age and older shall be vaccinated against rabies. All vaccinated dogs shall be restricted, by leashing or confinement on enclosed premises, for 30 days after such vaccination.

(b) During any such quarantine period, the Animal Control Officer or Animal Control Unit is hereby empowered to provide for a program of mass immunization by the establishment of temporary emergency canine and feline rabies vaccination sites strategically located throughout the City of Jesup.

**Sec. 14-43. – Redemption of strays restricted during emergency quarantine.**

No animal which has been impounded by reason of such animal being a stray and which is unclaimed by its owner, possessor, custodian, or harborer shall be allowed to be adopted from any animal shelter during any such period of quarantine except by special authorization of the Animal Control Officer or Animal Control Unit.

**Sec. 14-44. – Extension of quarantine.**

If there are additional cases of rabies occurring during the period of city-wide quarantine, such periods of quarantine may be extended for additional periods of time.

**ARTICLE IV – BIRD SANCTUARY**

**Sec. 14-45. – Bird Sanctuary Designation.**

The entire area embraced within the corporate limits of the City of Jesup is hereby designated as a bird sanctuary.

**Sec. 14-46. – Birds causing nuisance.**

If starlings, pigeons or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities of the City of Jesup, then in such event, such health authorities shall meet with representatives of the Audubon Society, bird club, garden club or humane society, or as many of such clubs are found to exist in the City of Jesup, after having given at least 3 days' actual notice of the time and place of such meeting to the representative of such clubs. If, as a result of such meeting, no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by the health authorities under the supervision of the Animal Control Officer or Animal Control Unit.

Section Two (2). That any and all ordinances, resolutions, motions, or parts thereof in conflict herewith are hereby repealed and superseded.

Section Three (3). If any section, clause, sentence, phrase, or paragraph of this ordinance is declared or held to be invalid, unconstitutional, or void by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section Four (4). This ordinance shall become effective immediately upon its adoption by the Commissioners of the City of Jesup.

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*(Signatures appear on following page)*

**PASSED, ADOPTED AND ORDAINED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
DAVID EARL KEITH  
MAYOR

\_\_\_\_\_  
BOBBY TOWNSEND  
COMMISSIONER – DISTRICT 4

\_\_\_\_\_  
RICKY A. REDDISH, SR.  
COMMISSIONER – DISTRICT 1

\_\_\_\_\_  
RAYMOND D. HOUSE  
COMMISSIONER – DISTRICT 5

\_\_\_\_\_  
DON DARDEN  
COMMISSIONER – DISTRICT 2

\_\_\_\_\_  
GENEVA NICHOLS  
COMMISSIONER – DISTRICT 6

\_\_\_\_\_  
NICK HARRIS  
COMMISSIONER – DISTRICT 3

APPROVED AS TO FORM:

\_\_\_\_\_  
DAVID MICHAEL CONNER, ESQ.  
CITY ATTORNEY

ATTEST: This \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
CITY CLERK